

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

KANDICE NEALS, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

PARTECH, INC., a Delaware corporation,

Defendant.

Case No.: 19-cv-05660

Honorable Ronald A. Guzman

Magistrate Judge M. David Weisman

JOINT STATUS REPORT PER THIRD AMENDED GENERAL ORDER 20-0012

Pursuant to this Court’s April 30, 2020 Minute Order (Dkt. 45) and the Northern District of Illinois’s Third Amended General Order 20-0012 (“Third Amended Order”) (Dkt. 44), counsel for Plaintiff Kandice Neals and counsel for Defendant ParTech, Inc. (collectively, the “Parties”) have conferred, agreed, and now submit the following Joint Status Report:

A. Status of Discovery

The Parties issued their first sets of written discovery requests on March 3 and 4, 2020, prior to the last in-person status hearing. (See dkt. 40.)

Plaintiff served her written responses and document production to Defendant’s First Set of Requests for Production and First Set of Interrogatories on April 8, 2020.

Due to the court’s Third Amended Order, Defendant’s deadline to respond to Plaintiff’s First Set of Requests for Production and First Set of Interrogatories is now June 19, 2020. Defendant is on track to serve its responses and produce documents on or before that date.

The Parties have yet to notice depositions. However, the Parties expect they will need approximately 6 – 10 depositions. Once Defendant produces written discovery, Plaintiff plans to depose a Rule 30(b)(6) representative of Defendant, other employees and/or agents of Defendant

as may be necessary, and any experts that Defendant identifies. Defendant plans to depose Plaintiff, as well as certain other witnesses disclosed over the course of fact discovery. The parties request that they be permitted to amend their respective lists further into fact discovery.

B. Status of Unresolved Motions

There are no motions currently pending before the Court.

C. Settlement Efforts

The Parties have not engaged in significant settlement discussions at this time.

D. Proposed 45-day Schedule

Outside of the proposed discovery and dispositive motion schedule, which is addressed in Section E of this Joint Status Report, the Parties propose that the status hearing initially set by Magistrate Judge Weisman for May 27, 2020 at 9:15am, and stricken per the Third Amended Order, be rescheduled to the week of August 3-7, 2020.

E. Proposed Discovery and Dispositive Motion Schedule

i. Fact Discovery

As a result of the court's Third Amended Order, the current fact discovery-related deadlines are set forth in the below chart. The Parties agree to the deadlines set forth below and do not propose any alterations.

Deadlines per Third Amended Order	
Meet & Confer Deadline	July 17, 2020
Deadline to File Discovery Motions	July 31, 2020
Closure of Fact Discovery	December 11, 2020

ii. Expert Discovery

Judge Guzman set a status hearing for August 5, 2020 to establish an expert discovery schedule. The parties request that the August 5, 2020 status hearing be stricken and reset for the

week of September 21, 2020. In an effort to promote the efficient progression of this case, the Parties propose the below expert discovery schedule, which is consistent with the Report on the Parties' 26(f) Planning Meeting. (Dkt. 33).

Proposed Schedule	
26(a)(2) Reports on Class Certification	Affirmative Report: January 22, 2021 Rebuttal Report: March 5, 2021
Closure of Expert Discovery on Class Certification	March 26, 2021.
26(a)(2) Reports on Merits Issues	Affirmative Reports: 45-days following Court's order on class certification Rebuttal Reports: 45-days following disclosure of affirmative reports on merits issues
Closure of Expert Discovery on Merits Issues	21 days following disclosure of rebuttal reports on merits issues

iii. Dispositive Motions

The Parties propose the below timelines for dispositive motions consistent with the Report on the Parties' 26(f) Planning Meeting (dkt. 33) and anticipate that there may be a need for class certification and *Daubert* hearings.

Proposed Schedule	
Motion for Class Certification	35-days after close of expert discovery on class certification
Summary Judgment Motions	35-days after close of expert discovery on merits issues

F. Agreed Action Requested by the Parties

The Parties anticipate filing an agreed confidentiality order in accordance with Magistrate Judge Weisman's standing order. The Parties do not request that any other agreed action be taken by the court at this time.

G. No Need for Telephonic Hearing

The Parties do not request a telephonic hearing at this time.

Dated: May 14, 2020

Respectfully submitted,

ParTech, Inc.

By: /s/ Henry J. Caldwell
One of its Attorneys

John T. Ruskusky
jtruskusky@nixonpeabody.com
Richard H. Tilghman
rhtilghman@nixonpeabody.com
Henry J. Caldwell
hcaldwell@nixonpeabody.com
Nixon Peabody LLP
70 W. Madison Street, Ste. 3500
Chicago, Illinois 60602
(312) 977-4400

- and -

Kandice Neals, individually and on
behalf of all others similarly situated

By: /s/ J. Eli Wade-Scott
One of Plaintiff's Attorneys

Benjamin H. Richman
brichman@edelson.com
J. Eli Wade-Scott
ewadescott@edelson.com
Schuyler Ufkes
sufkes@edelson.com
Edelson P.C.
350 N. LaSalle Street, 14th Floor
Chicago, Illinois 60654
(312) 589-6370

David Fish
dfish@fishlawfirm.com
John Kunze
kunze@fishlawfirm.com
The Fish Law Firm, P.C.
200 E. 5th Avenue, Ste. 123
Naperville, Illinois 60563
(630) 355-7590

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **JOINT STATUS REPORT PER THIRD AMENDED GENERAL ORDER 20-0012** was served on all counsel of record via the court's CM/ECF filing system.

/s/ Henry J. Caldwell